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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,876	08/26/2003	Donald B. Richardson JR.	XP-1052	7808

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EXAMINER

EVANISKO, LESLIE J

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 05/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/649,876

Applicant(s)

RICHARDSON ET AL.

Examiner

Leslie J. Evanisko

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21-24 is/are allowed.
- 6) ☒ Claim(s) 1-5, 9, 10 and 14-18 is/are rejected.
- 7) ☒ Claim(s) 6-8, 11-13, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2003-08-26.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: On page 13, line 11, the term "rollers **312, 314**" should be --rollers **314, 316**-- since that is how the rollers were previously defined in line 8 of page 13 and shown in the Figures.

Appropriate correction and/or clarification is required.

Claim Objections

2. Claims 2-8, 10-13, 15-20, and 22-24 are objected to because of the following informalities:

With respect to each of the dependent claims, it is suggested that the term "A" in line 1 of each claim be deleted and replaced with --The--, since the substrate manager, plate inverter, method, and plate handler have been previously recited by the respective independent claims.

Also, with respect to claim 6, line 1, it is suggested that the term --the-- be inserted after "wherein" to provide less awkward claim language. Note that a similar change should be made in line 1 of claim 8.

With respect to claim 10, this claim is improper in that it fails to properly limit the parent claim since it is merely recite a functional intended use of the inverter and fails to recite any additional structure. Furthermore, it is noted

that the plate is not part of the claimed combination and therefore, whether it has an emulsion side facing upwards or downwards is of no patentable significance.

Additionally, with respect to claim 23, the claim lacks a period at the end of the sentence.

Appropriate correction and/or clarification is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-5, 9-10, and 14-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Ono (US 6,718,875). Ono teaches a substrate manager and method for managing substrates comprising a substrate storage system **15** with a stack of substrates **12**, a substrate picker **82**, **92** for picking substrates

from the stack, a substrate inverter system **42**, and a substrate transfer system **18** for providing the substrates to an imaging engine **16, 37**. See Figures 1 and 9 in particular.

With respect to claims 2 and 15, note Ono teaches multiple cassettes **38** for holding stacks of substrates **12** in column 6, lines 47-53.

With respect to claims 3 and 16, note Ono teaches the picker includes a peeler **82, 92** for separating a substrate from the stack of substrates.

With respect to claims 4 and 17, note the apparatus of Ono includes a sheet separator **46** for ensuring that a sheet **44** separating the substrates **12** can be separated from the substrate that is being picked up by the picker. See Figures 7A-7B and column 9, line 45-column 11, line 8.

With respect to claims 5, 9 and 18, note the inverter system includes an arcuate transfer path over which the substrates are carried to invert and transfer the substrates between the storage system and transfer system, as shown in Figures 1 and 9 in particular.

With respect to claim 10, see column 6, lines 58-63 of Ono in particular.

5. Claims 1-5, 9-10, and 14-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Otsuji (US 6,341,932). Otsuji teaches a substrate manager and method for managing substrates comprising a substrate storage system 2 with a stack of substrates P, a substrate picker 67, 69, 71 for picking substrates from the stack, a substrate inverter system 66, 65, 63, and a substrate transfer

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system 3, 11, 14 for providing the substrates to an imaging engine 12. See Figures 2 and 8-10 in particular.

With respect to claims 2 and 15, note Otsuji teaches multiple cassettes 7 for holding stacks of substrates in column 4, lines 23-26.

With respect to claims 3 and 16, note Otsuji teaches the picker includes a peeler for separating a substrate from the stack of substrates.

With respect to claims 4 and 17, note the apparatus of Otsuji includes a sheet separator 77, 76 for ensuring that a sheet separating the substrates can be separated from the substrate that is being picked up by the picker. See Figures 8-10 and column 6, lines 55-67.

With respect to claims 5, 9 and 18, note the inverter system includes an arcuate transfer path over which the substrates are carried to invert and transfer the substrates between the storage system and transfer system, as shown in Figures 8-10 in particular.

With respect to claim 10, note that, in the claims as currently written, the plate is not part of the claimed combination and therefore claim 10 fails to properly limit the parent claim. Therefore, since Otsuji teaches all of the structure as recited, it is broadly capable of conveying any plate, such as one that would result in the plate being converted from an emulsion side down orientation to an emulsion side up orientation as recited, and therefore meets the claim language.

Allowable Subject Matter

6. Claims 21-24 are allowed. Note the claim objections with respect to claims 22-24 noted above must also be corrected to the satisfaction of the Examiner.
7. Claims 6-8, 11-13, and 19-20 are objected to for the reasons set forth above as well as for being dependent upon a rejected base claim, but would be allowable if rewritten to overcome the above objections to the satisfaction of the Examiner and in independent form including all of the limitations of the base claim and any intervening claims.
8. The following is a statement of reasons for the indication of allowable subject matter:

With respect to claims 6, 11, and 19, the prior art of record fails to teach or fairly suggest a substrate manager, plate inverter, or method having all of the structure or method steps as recited, in combination with and particularly including, the substrate inverter system having a leading arm and lagging arm for carrying the substrates over the arcuate transfer path between the substrate storage system and substrate transfer system.

With respect to claim 8, the prior art of record fails to teach or fairly suggest a substrate manager having all of the structure as recited, in combination with and particularly including, the substrate inverter system having at least one arm that includes a first roller and a second roller for both holding substrates and moving substrates relative to the at least one arm.

With respect to claim 21, the prior art of record fails to teach or fairly suggest a plate handler having all of the structure as recited, in combination with and particularly including, an arm having a first and second nip roller for closing on a plate and pulling the plate through an arcuate path and the arm rotating to drive the plate between the first and second rollers.

Conclusion


9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Okoda et al. (US 5,560,596), Kushima et al. (US 5,201,506), Fukui (US 6,418,849), and Takeda (US 2004/0065221) each teach plate or sheet inverting mechanisms having obvious similarities to the claimed subject matter.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on M-Th 7:30 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Leslie J. Evanisko
Primary Examiner
Art Unit 2854

lje
May 14, 2004